IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 33697 of 2007(J)

PETITIONER:

M/S. SHAMBU TRADERS PVT. LTD.,
BALAKRISHNA MENON ROAD, EDAPPALLY, COCHIN-24,
REPRESENTED BY IT'S AUTHORISED SIGNATORY,
MR. SAMBU NAMBOODHIRI T.N.

BY ADV. SMT.K.LATHA

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

2. DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES, ERNAKULAM.

3. ASSISTANT COMMISSIONER (III),
SPECIAL CIRCLE III, ERNAKULAM.

4. INSPECTING ASST.COMMISSIONER,
COMMERCIAL TAXES, KAKKANAD.

BY GOVT. PLEADER MR. GOVINDAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 33697 OF 2007 J
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Dated this the 15th November, 2007

J U D G M E N T

Aggrieved by Exts. P1 and P2 orders of assessment, petitioner has filed Exts. P3 and P4 appeals. It is submitted that Exts. P7 and P8 stay petitions have also been filed before the appellate authority on which orders have not been passed. It is at that stage revenue recovery proceedings have been initiated by Exts. P5 and P6 notices of demand and challenging Exts. P5 and P6 this writ petition has been filed. Now that the appellate authority is seized of the matter including the applications for stay without any orders passed thereon, I am inclined to dispose of this writ petition with the following directions:

2. That the 2nd respondent shall consider and pass orders on Exts. P7 and P8 stay petitions filed by the petitioner as expeditiously as possible, at any rate within three weeks of receipt of a copy of this judgment. In the meantime further proceedings pursuant

to Exts. P5 and P6 shall be deferred for a period of one month from today.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC
JUDGE

jan/-